

REMARKS

Claims 1-20 and 22-24 are pending in this application. By this Amendment, claims 1, 4, 6, 10, 12, 16 and 17 are amended, claim 21 is cancelled without prejudice or disclaimer and claims 23-24 are added. Various amendments are made to the claims for clarity and are unrelated to issues of patentability.

The Office Action rejects claims 1-6, 8-12, 15-19 and 21-22 under 35 U.S.C. §102(b) over U.S. Patent Publication 2002/0168976 to Krishnan. The Office Action also rejects claims 7, 13-14 and 20 under 35 U.S.C. §103(a) over Krishnan. The rejections are respectively traversed with respect to the pending claims.

Independent claim 1 recites receiving system information from a network and obtaining a frequency of each service vendor from the received system information, each of the obtained frequencies corresponding to a frequency band of use for respective service vendors. Independent claim 1 also recites searching the frequency of each service vendor based on the obtained frequency of each service vendor.

Krishnan does not teach or suggest all of the features of independent claim 1. More specifically, Krishnan merely relates to searching until a preferred system connection is made. See, for example, page 3, paragraph [0028]; lines 19-25; paragraph [0016]; and FIG. 4, blocks 308 and 310. However, Krishnan does not teach or suggest the ability to obtain frequencies of more than one service vendor and then search the frequency of each service vendor based on the obtained frequency of each service vendor. More specifically, Krishnan does not suggest obtaining a frequency of each service vendor from the received system information, each of the

obtained frequencies corresponding to a frequency band of use for respective service vendors in combination with searching the frequency of each service vendor based on the obtained frequency of each service vendor. Accordingly, independent claim 1 defines patentable subject matter.

Furthermore, independent claim 10 recites receiving frequency data of a plurality of service vendors from a network, the received frequency data relating to frequency bands of use for each of the service vendors, and storing the received frequency data in user equipment. Independent claim 10 also recites performing a cell search of a stored frequency of at least one service vendor in a frequency search, and performing another cell search by frequency bands when a frequency is not found in the stored frequencies of at least one of the service vendors.

For at least similar reasons as set forth above, Krishnan does not perform a cell search of a stored frequency of at least one service vendor in a frequency search and perform another cell search by frequency bands when a frequency is not found in the stored frequencies for at least another one of the service vendors. The Office Action appears to cite Krishnan's page 3, paragraph [0028] for these features. However, this cited section does not suggest performing another cell search by frequency bands when a frequency is not found in the stored frequencies for at least another one of the service vendors. That is, Krishnan merely searches until a preferred system connection is made. This does not suggest performing another cell search for at least another one of the service vendors. Accordingly, independent claim 10 defines patentable subject matter.

Still further, independent claim 16 recites a receiving device to receive system information, a memory to store frequency information regarding service vendors, and a processing device to obtain a frequency of a particular service vendor from the memory. Independent claim 16 also recites that the processing device performs a cell search based on frequency bands when searching the frequency information stored in the memory, the cell search being based on the received system information. Still further, independent claim 16 recites the processing device further performing another cell search when a frequency is not found in the stored frequency information for a particular service vendor. For at least the reasons set forth above, Krishnan does not teach or suggest all these features. Thus, independent claim 16 defines patentable subject matter.

For at least the reasons set forth above, each of independent claims 1, 10 and 16 defines patentable subject matter. Each of the dependent claims depends from one of the independent claims and therefore defines patentable subject matter at least for this reason. In addition, the dependent claims recite features that further and independently distinguish over the applied references.

For example, dependent claim 14 recites the network comprises a Radio Resource Control of a UMTS Terrestrial Radio Access Network. The Office Action states that because Krishnan discloses IS-95 CDMA, that it would have been obvious to enable Krishnan's invention in a UMTS because this would enable the limitations of the invention. However, there is no suggestion that Krishnan's disclosure may be incorporated into a radio resource control of the UMTS Terrestrial Radio Access Network. Rather, the only suggestion for the claimed

features is provided in applicant's own specification. Applicant further submits that there is no suggestion for this modification. Accordingly, dependent claim 14 (and similarly dependent claims 23-24) defines patentable subject matter at least for this additional reason.

Furthermore, dependent claim 5 recites receiving the system information comprises receiving the system information in a system information block. The Office Action cites Krishnan's paragraph [0027], lines 32-38 for these features. However, these features do not relate to a system information block. Accordingly, dependent claim 5 (and similarly dependent claims 12 and 19) defines patentable subject matter at least for this additional reason.

Furthermore, dependent claim 7 recites that the system information is received from the network through a broadcasting control channel. The Office Action states the broadcasting control channel is a technique known in the art and the Examiner takes Official Notice of this notion. However, applicant respectfully submits that there is no suggestion in the prior art for the claimed features being provided as recited in dependent claim 7 (in combination with independent claim 1). That is, there is no suggestion for system information being receiving from the network through a broadcast control channel in which the received system information is used to obtain frequency of each service vendor. Applicant respectfully requests the Patent Office to provide a reference showing these features as well as provide motivation to make such a combination. Accordingly, dependent claim 7 (and similarly dependent claim 20) defines patentable subject matter at least for this additional reason.

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CONCLUSION

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance of claims 1-20 and 22-24 are earnestly solicited. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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